

## REMARKS

This Amendment is filed in response to the Office Action of March 3, 2009 in which claims 1-18 were rejected.

### I. Amendments

The following amendments have been carried out in the claims:

- It has been clarified in the independent claims that the mentioned transmitter is a transmitter external to the device comprising the mentioned transceiver; that is, the transmitter cannot be a part of the transceiver. For the original disclosure, see mobile station MS1 with reference sign 21 in paragraph 0068 (read together with paragraph 0017) of the published US patent application.
- The reference signs have been canceled throughout the claims.
- Claim 1 has been reformulated such that the defined apparatus is not required itself to comprise the mentioned receiver and transceiver.
- Claims 1-10 have been reformulated as apparatus claims instead of device claims.
- For reasons of clarity of category, the components of the claimed apparatus have been reformulated to be "configured to" perform the defined actions.
- The expression "processing portion" in the apparatus claims has been replaced by the term "processor". Such processors have been disclosed for instance in the form of processors 34 and 41 of Figure 3 of the published US patent application.
- The expression "attenuating component" in the apparatus claims has been replaced by the term "attenuator". The original description mentions "variable gain attenuator 33" in paragraph 0065 of the published US patent application.
- The features in the preamble of independent claim 12 have been shifted for reasons of clarity to the body of the claim.
- Claims 10 and 11 have been summarized in claim 10 and claim 11 been cancelled.
- Dependent apparatus claim 19 has been added, which requires the apparatus to comprise in addition the transceiver and receiver, in line with original claim 1.

- Dependent apparatus claim 19 has been added, which requires the apparatus to be a mobile phone or a laptop. The original disclosure can be found in paragraph 0051 of the published US patent application.
- A means-plus-function apparatus claim 21, with features corresponding to those of method claim 12, has been added.

It is expected that the amendments do not require additional claim fees, since the total number of claim is 20 and the number of independent claims is 3. However, if this expectation is incorrect, the Commissioner is authorized to deduct the correct claims fee from our Deposit Account No. 23-0442.

## II. Subject matter of the claims

Claim 1 defines an apparatus having the following features:

- A a processor
  - A.1 configured to detect presence of interfering signals in a second frequency band, wherein said second frequency band is used by a receiver to receive signals via a radio interface, and wherein said receiver is combined in a single device with a communication system transceiver exchanging signals via a radio interface in a first frequency band,
  - A.2 and to determine a timing pattern for detected interfering signals based on a timing information provided by said communication system transceiver, which timing information is indicative of timing for transmissions employed by said communication system transceiver; and
- B a processor
  - B.1 configured to cause a manipulation of signals reaching said receiver during time intervals defined by a determined timing pattern, in order to reduce a performance degradation due to interfering signals originating from a transmitter external to said device, which transmitter employs a same timing for transmissions as said communication system transceiver of said device.

Independent claim 12 relates to a method with corresponding features and

independent claim 21 relates to another apparatus with corresponding features.

### III. Cited references

The Examiner cites the following references:

US 6,961,019 (McConnell)

A system is presented which comprises a transceiver with a wireless transceiver antenna 102 and a GPS receiver. When antenna 102 is transmitting signal 130, an interference signal 132 occurs. Since the interference signal 132 is so strong, the GPS receiver is desensitized by such signal. It is proposed that a phase and amplitude adjusted replica signal of the transmitted signal is coupled into the input of an amplifier 122 of the GPS receiver. By properly adjusting the phase and the amplitude of the signal 208 that is coupled in, the effects of interfering signal 132 can be reduced or eliminated. (col. 3, line 39 to col. 4, line 32)

US 7,010,270 (Thomas)

Different embodiments of multiple standard communication device 10 shown in FIG. 7 aim at keeping a first, at least receiving subunit 12 of the multiple communication device 10 fully operational for all operation modes of a second, at least transmitting subunit 14 of the multiple communication device. (col. 7, lines 11-17)

To avoid the interference of transmission signals of the second subunit 14 at the first subunit 12, it is proposed to modify the operation mode of the first subunit 12 when the second subunit 14 is transmitting output signals. Heretofore, the first subunit 12 comprises operation mode modification unit 34 to receive at least one signal from the second subunit 14 specifying time, frequency and/or output level in the second subunit 14. This one signal may then be used for operation mode modifications in the first subunit 12. In particular, the operation mode modification unit 34 is adapted to modify the input characteristic of the first subunit 12. (col. 8, lines 34-47)

#### IV. Novelty and non-obviousness

The Examiner considers the subject matter of **independent claim 1** to be unpatentable over *McConnell* in view of *Thomas*. This estimation is contested.

Claim 1 requires the possibility of determining a timing pattern for detected interfering signals based on a timing information provided by the communication system transceiver (feature A.2 of claim 1).

This feature is considered to be known from *Thomas*. However, *Thomas* discloses at the most providing and using timing information/timing pattern. It would make no sense to determine a separate timing pattern based on provided timing information, because it is only the aim to modify the operation of a first subunit during transmission of a second subunit based on information of the second subunit (col. 8, lines 34-38). Thus, the timing information that is provided by the second subunit already represents exactly what is required for the modification. In the approach of *Thomas*, it would be even more useless to determine a timing pattern for detected interfering signals, since in *Thomas* the timing information is readily available at the time when the interference starts. Thus, feature A.2 of claim 1 is not disclosed by *Thomas*.

Claim 1 further requires the possibility of manipulating signals reaching the receiver during time intervals defined by a determined timing pattern, in order to reduce performance degradation due to interfering signals originating from a transmitter external to the device comprising the mentioned receiver and transceiver (feature B.1). By specifying in the claim that the transmitter is external to the device comprising the transceiver, it has been made quite clear that the transmitter cannot be a part of the transceiver. This was already the intended meaning of the previous formulation, which had apparently been interpreted differently by the Examiner.

This feature (before its reformulation) was considered to be known from *McConnell*. However, *McConnell* only suggests coupling an adjusted replica signal of a transceiver into a receiver for reducing the effects of an interfering signal produced by the transceiver itself (*McConnell*: see col. 3, line 39 to col. 4, line 32). *McConnell* does not suggest manipulating signals that are received at a receiver based on provided information on a transceiver for dealing with interferences by an

additional transmitter. Thus, feature B.1 of claim 1 is not disclosed by *McConnell*.

On the whole, it becomes apparent that even a combined consideration of *McConnell* and *Thomas* is not suited to suggest that a timing pattern is determined for dealing with interferences of an additional transmitter as required by claim 1, since both *McConnell* and *Thomas* consider only a system with a single transmitter/transceiver.

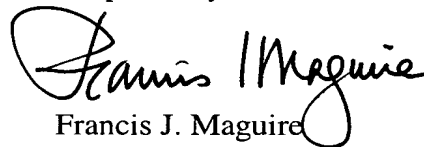
Consequently, claim 1 is not rendered obvious by the cited references.

The same applies to the **other independent claims**, which comprise corresponding features, and consequently to the **dependent claims** as well including those rejected based on *Teo et al* for at least the same reasons.

Withdrawal of the various obviousness rejections is requested.

The objections and rejections of the Office Action of March 3, 2009, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-10 and 12-21 to issue is earnestly solicited.

Respectfully submitted,



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